

Town of Primrose Comprehensive Steering Committee Minutes—

23 and 24 February 2010

Attending: Dein, Elkins, Garfoot, Gibson, Haack, Hayward, J. Judd

Dein called the meeting to order at 7:40

Dein said that he would run the next three meetings (if all were needed) as one meeting with one agenda, taking a recess between them, until we completed what was on the agenda.

1. Motion to accept the minutes of February 8 with the following revisions: An item 13 be added that says that the next meeting dates were set for February 23, 24, 26 if needed. Motion made by Hayward, seconded by Garfoot. Motion carried 7-0.

2. Garfoot introduced the Draft he had worked on with Standing. He was proposing allowing a little crossing of agricultural lands to let some people who have no builds under the current Plan have some builds. The density would be increased to 1 per 70 acres, and that is intended to be a compromise between those who want to use their splits but have no sites and those who support the current Plan in which you can't cross or build and agricultural. A majority of people want slow growth. This allows people to use some of their splits while retaining slow growth. It is an attempt to be in the middle. There would be siting criteria and the land not used in the 2 acre lot would be deed restricted or potentially put in a conservation easement. The landowner could choose which option. Easements might give substantial tax breaks, but with the deed restriction the remaining density could be put in a development bank to potentially used later as a TDR. This wouldn't be set in stone. The Plan would be reviewed in 5 years, and if it wasn't working, it could be changed.

3. There was a discussion about what the intent was. Was the intent to help out those who had no builds under the old Plan. So if you had no builds, you could use this exception of crossing a limited amount of ag. land to reach pasture or woods at one per 70. The landowner would then use one Plan (the old Plan) or the other (the proposed exemption) but not both. Or could a landowner use the builds he or she had at one per 35 according to the old Plan and then also use the builds he or she would have be crossing ag. land at one per 70. A motion was made to direct Standing to add language to the effect that a landowner could choose between developing his or her property according to the density of one per 35 acres with no crossing of historically tilled agricultural land or the density of one per 70 with a limited crossing of agricultural land. So they could choose one or the other but not both. Motion made by Gibson, seconded by Elkins. Motion carried 4-3.

4. Motion made to eliminate Group III soils on page 13, f, (3) (a). Motion made by Haack, seconded by J. Judd. Motion failed 2-5.

5. Motion made to have f (1) on page 13 read “Be entirely on pasture or woods as determined in 1981 unless they have been cropped since 1981.” Motion made by Gibson, seconded by Elkins. Motion passed 5-2.

6. Motion made by Haack, seconded by J. Judd to delete 2 (a) (ii) and (iii) page 14. Motion failed 2-5.

7. Motion to create general siting criteria that would apply to all builds using the language on page 14 (b) i-iv, and (a) ii-vi. Motion made by Gibson, seconded by Elkins. Motion carried 5-2.

8. Standing was asked what the set backs were on lot lines for houses and driveways. If they were not 20 or 30 feet, some members wanted to include that in siting criteria.

9. Motion to add 2 (c) to general siting criteria. Motion made by Gibson, seconded by Hayward. Motion carried 6-1.

10. Motion made by Garfoot, seconded by J. Judd to have the driveway length be 500 feet in 2 (a) (1) on page 14. Motion failed 5-2.

11. Motion made by J. Judd, seconded by Garfoot to add the words “if possible” to the end of the sentence on page 14 under 2 (d). Motion carried 5-2.

12. Motion to delete on page 7 B (d) the words “provided it will not prevent the landowners use of available splits”. Motion carried 5-2.

13. Motion on the table from the last meeting that read “Permit landowners to use available splits unless it conflicts with the Environmental Resource Protection District or Siting Criteria” was reintroduced by Haack, seconded by J. Judd. Motion failed 3-4.

14. Motion made by Gibson, seconded by J. Judd to add the following language regarding the retirement home: “If a farmer has owned and operated a farm in the Township of Primrose for at least 10 years and wants a lot for retirement and as of the adoption of the Comprehensive Plan...2010 has the density, but would have no feasible buildable lots as outlined in the Siting criteria of the Comprehensive plan, the farmer can have on lot for retirement in agricultural land. All other siting criteria, ordinances, policies, etc. must be met. If, at the time of the adoption of the Comprehensive Plan, the farmer does have feasible buildable lots according to the Siting criteria of the Plan, the farmer must retain one of those lots for a retirement site, if he or she wants such a site. Motion carried. 6-1.

15. Motion on the table from last meeting to prohibit driveways from crossing historically cropped agricultural lands was withdrawn by Gibson and Elkins.

12. Dein said that our aim tomorrow night should be to accept a final Draft of Chapter 8 and to pass a resolution on the whole package, that is, all the chapters. We also had to discuss when to have the ‘Open House’.

13. Motion to recess until tomorrow night at 7:30 made by Gibson, seconded by Garfoot. Motion passed 4-3.

February 24, 2010

Dein resumed the meeting at 7:45

All members attending

14. We reviewed the revisions that Standing had made to the draft of Chapter 8. Minor corrections were made.

(a) Motion made by Gibson, seconded by Elkins, to amend page 9, first sentence (a) to read as follows : Be entirely on pasture or woodlands as determined as of 1981 and such lands cannot be cropped since 1981. Motion carried 5-2-1.

(b) Page 8, last line of the paragraph beginning D 1 should read: "After the adoption of the Comprehensive Plan , when proposing nonfarm development, landowners must choose from one, but not both, of the following density options."

(c) Page 9 under Density Option: B (1) Option B Criteria was revised as follows: Landowners may cross historically cropped lands to reach pastures or woodlands with a residential driveway if the following criteria are met:

(d) Page 15 typo: last sentence of 2 regarding retirement home, "retirement" is misspelled.

15. Motion made by Garfoot, seconded by Hayward, to approve the February 24 Draft of Chapter 8 with the revision made tonight. Motion carried 6-2.

16. We reviewed the Draft of Chapter 9 and made the following revisions:

(a) Under "Density Policy", the date should be changed to April 28 in both places.

(b) Page 3 under 'Implementation Timeline', second sentence should begin, "At least every five years, progress towards..."

17. Motion made by Hayward, seconded by Gibson to accept the February 24 draft of the Comprehensive Plan subject to the revision made at tonight's meeting (February 24) and including the Appendix 1 maps contingent upon their accuracy. Motion carried 6-1-1.

18. Motion made by D. Judd, seconded by Elkins, to change the date on the draft Resolution to February 24, 2010. Motion carried 8-0.

19. Motion made by D. Judd, seconded by Hayward, to approve the draft Resolution of February 24, 2010. Motion carried 7-1.

20. Public comment:

(a) There are many typos throughout that need to be cleaned up. Winnie will contact Standing to point them out.

(b) Can people use both option A and B? No, one or the other.

(c) Between 2001-2003 several people were turned down for builds. Had they been given what they asked for, they wouldn't now be here being so opposed. The Township has prevailed in the lawsuits, but no one has won. Tapes are made of all meetings and distributed around the Township. The Town is split. The changes made tonight will not help. It will allow the Town Board to say yes to a privileged few—friends and relatives, but not to others. It hasn't been made any better, and the Town will continue to be sued.

(d) The revised Public Participation Plan never got put on the Website.

(e) Nothing is set up for the TDRs.

(f) Amendment brought forward several years ago and had many people in favor of it, and the Town never acted on it, though it was supposed to be discussed in the Comprehensive Planning process.

(g) The process was set up against us from the get go. The survey was a certain way. People have been made to feel that they have no rights.

(h) The new proposal steals property from people.

21. Discussion of Open House, meetings set, procedure clarified. It was decided to have the Open House on April 10 at 12:30 and the Public Hearing on 2:00 that same day. There will be a Steering Committee meeting on April 19 at 7:30 to consider any revisions needed as a result of discussions in the Public Hearing. The Steering Committee as a whole will make any revision needed before it is sent to the Town Board. The meeting for 26 of February is cancelled since the draft resolution was approved tonight.

22. Motion to adjourn made by D. Judd, seconded by Gibson. Motion carried 8-0.

Minutes respectfully submitted by Martha Gibson